

MONDAY, JANUARY 26, 1998
FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Leamon Flatt, Bellwood Church of Christ, Murfreesboro, Tennessee.

Representative Eckles led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Buck; business reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2583: Rep(s). Brown, Turner(Hamilton), Hassell, Ferguson, Garrett, Caldwell, Beavers, Halteman Harwell, Cooper and Turner(Shelby) as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 464** -- Highway Signs - "Lane Whitson Memorial Bridge," S.R. 107, Unicoi County. by *Whitson.

Transportation Committee

***House Joint Resolution No. 465** -- Memorials, Congress - Urges granting authority to several states to regulate self-funded healthcare plans under ERISA. by *Jackson.

Commerce Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 28, 1998:

House Joint Resolution No. 469 -- Memorials, Professional Achievement - Methodist Medical Center of Oak Ridge, Governor's Tennessee Quality Award. by *Caldwell.

House Joint Resolution No. 470 -- Memorials, Professional Achievement - Connie Smith, 1997 Tennessee Vocational Education Teacher of the Year. by *Wood.

House Joint Resolution No. 471 -- Memorials, Death - Inez Davis Carraway. by *Pleasant, *Haley, *Hargett.

House Joint Resolution No. 473 -- Memorials, Death - Mike Stiles. by *Williams (Williamson).

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2420 -- Local Government, General - Extends from 40 to 50 years time period during which capital improvement property may be leased by municipalities. Amends TCA Title 7. by *Rinks.

***House Bill No. 2421** -- Financial Disclosure - Creates online campaign financial disclosure system for candidates for state public office, certain political campaign committees and lobbying entities, to be designed and implemented by secretary of state, in conjunction with registry of election finance. Amends TCA Title 2, Chapter 10, Part 1. by *Hargett.

***House Bill No. 2422** -- Home Improvement Contractors - Licenses home inspectors; establishes regulatory board. Amends TCA Title 62, Chapter 6. by *Hargett.

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House Bill No. 2423 -- State Employees - Authorizes long-term care benefit for state employees. Amends TCA Title 8, Chapter 27, Part 2. by *Hargrove.

***House Bill No. 2424** -- Education - Provides for juvenile justice alternative education programs and juvenile court supervision of suspended and expelled students. Amends TCA Title 37 and Title 49, Chapter 6, Part 34. by *Hassell.

House Bill No. 2425 -- Penal and Reformatory Institutions - States intent of the general assembly that future state prisons be constructed to resemble military barracks and that they meet only the minimal constitutional requirements for comfort and safety. Amends TCA Title 41, Chapter 1, Part 4. by *Bird, *Newton.

House Bill No. 2426 -- Municipal Government - Authorizes referendum to designate certain areas as incorporation and annexation free zones. Amends TCA Title 6. by *Stulce, *Wood, *Haley.

***House Bill No. 2427** -- Schools, Private and Charter - Enacts "Tennessee Charter School Act of 1998." Amends TCA Title 49, Chapter 50. by *Winningham.

***House Bill No. 2428** -- Education - Eliminates probationary teaching licensing. Amends TCA Section 49-5-5231. by *Maddox, *Tidwell.

***House Bill No. 2429** -- Trade Regulation - Restricts sale of a variety of products at flea markets. Amends TCA Title 47, Chapter 25. by *Maddox.

***House Bill No. 2430** -- Housing - Provides that after 6/1/97, tax increment financing provisions apply only to property financed with tax increment financing; before such date property owned, constructed or improved by authority not so financed has same tax status as other property owned by authority. Amends TCA Section 13-20-205. by *Maddox.

***House Bill No. 2431** -- Criminal Offenses - Makes it unlawful to assist minor to acquire intoxicants and/or furnish substances to minors for purposes of intoxication. Amends TCA Title 39, Chapter 17, Part 4. by *Maddox, *Fitzhugh.

***House Bill No. 2432** -- Board of Regents - Places Tri-County Vocational School under board of regents. Amends TCA Title 49, Chapter 8, Part 1. by *Winningham, *Buck.

House Bill No. 2433 -- Drugs - Enacts "Drug Dealer Liability Act of 1998." by *Dunn, *Burchett, *Goins.

***House Bill No. 2434** -- Highway Signs - "Pvt. Calvin J. Ward Memorial Highway," U.S. 11E, Greene County. by *Whitson, *Davis R.

***House Bill No. 2435** -- Health - Establishes area health education center (AHEC). Amends TCA Title 68. by *Whitson, *Patton, *Hicks.

***House Bill No. 2436** -- Sentencing - Increases penalty for theft or vandalism of county-owned property valued at \$500 or less from Class A misdemeanor to Class E felony. Amends TCA Title 39, Chapter 14. by *Whitson.

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***House Bill No. 2437** -- Utilities, Utility Districts - Directs water utility district board of commissioners be comprised of three members. Amends TCA Section 7-82-307. by *Whitson.

***House Bill No. 2438** -- Alcoholic Beverages - Prohibits municipality from denying beer retailer's permit for qualified applicant based solely on imposition and enforcement of numerical cap restricting total number of retail permits to be issued by municipality. Amends TCA Section 57-5-105 and Section 57-5-106. by *Whitson.

***House Bill No. 2439** -- Hospitals and Health Care Facilities - Deletes certain tax incentives for certain hospital companies. Amends TCA Section 67-4-804; Section 67-4-808; Section 67-4-812; Section 67-4-911. by *Whitson.

***House Bill No. 2440** -- Highway Signs - "Edwin Erwin Ramp," I-181 ramp. by *Whitson.

House Bill No. 2441 -- Pensions and Retirement Benefits - Makes Group 1 member serving as elected official of local government eligible for retirement regardless of age upon accruing 28 years of creditable service if 24 years were as county judge or elected county official; requires political subdivision to pay for cost of actuarial study and accept liability for benefits. Amends TCA Section 8-36-201. by *Huskey, *Ferguson, *Davis R, *Roach, *Westmoreland, *Cross.

***House Bill No. 2442** -- Regional Authorities - Creates East Tennessee Regional Agribusiness Marketing Authority. Amends TCA Title 64. by *Ford S, *Patton, *Mumpower, *Westmoreland, *Hicks, *Whitson, *Huskey, *Goins, *Cole (Carter), *Godsey, *Givens, *Fraleigh, *Tidwell, *Walker, *Davis R, *Roach.

***House Bill No. 2443** -- Salaries and Benefits - Authorizes TDOC employees with annual salary of less than \$25,000 \$300 monthly raise beginning 7/1/98. Amends TCA Title 8, Chapter 23, Part 1. by *Pinion.

***House Bill No. 2444** -- Taxes, Inheritance Gift - Conforms state inheritance tax exemption to federal inheritance tax exemption; increases the present \$6000,000 one-time exemption incrementally from \$625,000 to \$1,000,000 in 2006. Amends TCA Title 67, Chapter 8, Part 3. by *Pinion.

***House Bill No. 2445** -- Workers' Compensation - Deletes provision concerning role of county executive in permanent partial disability cases. Amends TCA Section 50-6-207(3)(D). by *Pinion.

***House Bill No. 2446** -- Liens - Denies lien to garagekeeper or towing firm against lienor for repairs made on towed vehicle unless written authorization for repairs given by lienor for such repairs. Amends TCA Section 66-19-103. by *Sharp.

***House Bill No. 2447** -- Driver Licenses - Gives \$8.00 discount from driver license fee if, at time of issuance, reissuance, or renewal of driver license, applicant executes anatomical gift. Amends TCA Section 55-50-323. by *Sharp.

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House Bill No. 2448 -- Zoning - Permits city board of zoning appeals to have nine members rather than three or five members. Amends TCA Title 13, Chapter 7, Part 2. by *Sharp, *Turner (Hamilton), *Brown, *Stulce, *Wood, *McAfee.

House Bill No. 2449 -- Economic and Community Development - Authorizes Hamilton County and its cities to participate in Central Business Improvement District Act of 1990 Amends TCA Section 7-84-530. by *Brown, *Turner (Hamilton), *Sharp, *Stulce, *Wood, *McAfee.

House Bill No. 2450 -- Coon Dog Laws - Authorizes coon dog training on a year-round basis in Humphreys County Amends TCA Section 70-4-122. by *Tidwell.

***House Bill No. 2451** -- Workers' Compensation - Excludes self-insured workers' compensation pools from eligibility for reduction or credit against gross premiums tax. Amends TCA Section 50-6-405 and Section 56-4-210. by *Cole (Dyer).

***House Bill No. 2452** -- Uniform Commercial Code - Permits secretary of state to prescribe acceptable forms for filing of UCC documents Amends TCA Section 47-9-402(9). by *Hargrove.

***House Bill No. 2453** -- Secretary of State - Makes consistent fee structure for filing, service, and copying Amends TCA Title 8, Chapter 21, Part 2; Section 20-2-205; Section 20-2-215; Title 20, Chapter 2; Section 48-11-303(a)-(c), Section 48-51-303(a)-(c), Section 48-247-103(a)-(c), Section 61-2-1207, Section 61-1-143, Section 61-1-146 and Title 61, Chapter 1. Repeals TCA Section 67-4-412. by *Hargrove.

***House Bill No. 2454** -- Boards and Commissions - Redefines "alarm system" and "alarm systems contractor." Amends TCA Title 62, Chapter 32, Part 3. by *Hargrove.

***House Bill No. 2455** -- Emergency Communications Districts - Creates wireless implementation committee; authorizes committee to impose fee of no more than landline 911 fee on wireless communication users. Amends TCA Title 7, Chapter 86. by *Hargrove.

***House Bill No. 2456** -- Firefighters - Authorizes highway patrol to direct traffic at scene of a fire. Amends TCA Title 6, Chapter 21, Part 7. by *Hargrove.

***House Bill No. 2457** -- TennCare - Limits expenditures by MCOs to 2 percent of capitation funds for marketing purposes. Amends TCA Title 71, Chapter 5, Part 1. by *Fowlkes.

***House Bill No. 2458** -- Managed Care Organizations - Makes MCOs liable for medical decisions made by MCOs that harm consumers; creates cause of action for medical malpractice against them. Amends TCA Title 29, Chapters 20 and 26; Title 56; and Title 56, Chapter 32. by *Fowlkes.

***House Bill No. 2459** -- Taxes, Income - Phases out Hall Income tax over six year period. Amends TCA Title 67, Chapter 2. by *Ritchie.

***House Bill No. 2460** -- Employees, Employers - Extends coverage of employee lien against employer's property to include present and former employees. Amends TCA Title 66, Chapter 13. by *Ritchie.

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***House Bill No. 2461** -- Firearms and Ammunition - Clarifies language relative to prohibition against felons receiving handgun permits. Amends TCA Section 39-17-1351. by *Ritchie.

***House Bill No. 2462** -- Water Pollution - Requires department of environment and conservation to conduct stream mapping project Amends TCA Title 69, Chapter 3. by *McDonald, *Davidson, *Stamps.

House Bill No. 2463 -- Motor Vehicles, Titling and Registration - Changes designation of proposed "KIDS FIRST!" license plate to "CHILDREN FIRST" Amends TCA Section 55-4-316. by *Ridgeway.

***House Bill No. 2464** -- Local Government, General - Makes changes to local government real property tax deferral provisions for persons 65 years of age or older (Chapter 831 deferral) Amends TCA Title 7, Chapter 64, Part 1. by *Scroggs.

***House Bill No. 2465** -- School Transportation - Requires safety belts on all school buses acquired after 7/1/98. Amends TCA Title 49, Chapter 26, Part 21. by *Halteman Harwell.

***House Bill No. 2466** -- Local Government, General - Makes changes to local government real property tax deferrals (Chapter 659). Amends TCA Title 7, Chapter 64, Part 2. by *Scroggs.

House Bill No. 2467 -- Motor Vehicles - Excludes sale of motor homes from "off-site" sale prohibition for motor vehicles Amends TCA Title 55, Chapter 17, Part 1. by *Turner (Shelby), *Cooper B, *Brooks, *Miller L, *DeBerry J, *Bird.

House Bill No. 2468 -- Criminal Procedure - Specifies that no storage or transportation costs will be assessed when seized property returned to persons not found guilty of applicable criminal offense. Amends TCA Title 40, Chapter 33. by *Turner (Shelby), *Brooks, *Jones U (Shelby), *DeBerry J, *Kernell.

***House Bill No. 2469** -- Driver Licenses - Revises fees for restoration of driver license when person fails to pay fees for traffic violations. Amends TCA Section 16-15-713; Title 29, Chapter 9, Part 1; Section 55-12-114(c); Section 55-12-115(a); Section 55-12-129; Section 55-50-118(c) and Section 55-50-502(a)(9). by *Turner (Shelby), *Robinson, *Burchett, *Buck, *Haley, *White, *Davis R.

***House Bill No. 2470** -- Motor Vehicles - Authorizes rental car companies credit against rental car tax for certain fees for titling and registration of rental motor vehicles. Amends TCA Title 67, Chapter 4, Part 19. by *Lewis.

House Bill No. 2471 -- Pensions and Retirement Benefits - Authorizes current Class C members under superseded system to claim up to four years of creditable service as Class A member as Class C creditable service. Amends TCA Title 8, Chapter 35. by *Lewis.

House Bill No. 2472 -- Consumer Protection - Enacts "Consumer Check Cashing Protection Act of 1998." Amends TCA Title 45, Chapter 17 and Title 45, Chapter 18. by *Lewis.

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House Bill No. 2473 -- Consumer Protection - Prohibits telemarketers from blocking caller ID Amends TCA Title 47, Chapter 18, Part 15. by *Robinson.

***House Bill No. 2474** -- Nurses, Nursing - Requires public school nurses to be registered professional nurses; continues mandate for school nurse as part of BEP Amends TCA Section 49-3-359 and Title 68, Chapter 1, Part 12. by *Givens.

***House Bill No. 2475** -- Physicians and Surgeons - Revises procedure for international medical school graduate to obtain license by identifying one year training program and two year clinical fellowship, both approved by AMA, as meeting requirements of three year residency program. Amends TCA Section 63-6-207. by *Halteman Harwell.

***House Bill No. 2476** -- DUI/DWI Offenses - Changes time for calculating when ten year period after which DUI does not count as prior offense for sentencing purposes from date of conviction to date when offense committed, provided one of offenses committed after 7/1/98. Amends TCA Title 55, Chapter 10, Part 4. by *Halteman Harwell.

***House Bill No. 2477** -- DUI/DWI Offenses - Requires persons convicted of DUI to perform eight hours of community service litter removal in addition to other punishment for such offense. Amends TCA Title 55, Chapter 10, Part 4. by *Halteman Harwell.

***House Bill No. 2478** -- Election Laws - Prohibits candidate from accepting political campaign contributions from individual, business entity or committee not resident of or domiciled in Tennessee. Amends TCA Title 2, Chapter 10. by *Ritchie.

House Bill No. 2479 -- Insurance, Health, Accident - Enacts "Patient Freedom of Choice Act of 1998." Amends TCA Title 56, Chapter 7. by *Ritchie.

***House Bill No. 2480** -- Election Laws - Prohibits candidates from accepting contributions from persons or entities not residents of or domiciled in Tennessee. Amends TCA Title 2, Chapter 10. by *Ritchie.

House Bill No. 2481 -- Veterinarians - Adds licensed animal technician member to board of veterinary medical examiners. Amends TCA Title 63, Chapter 12. by *Garrett.

House Bill No. 2482 -- Children, Employment of - Creates exemption from child labor law for student enrolled with church-related school or who is home schooled; requires student to present letter to employer signed by superintendent confirming student's enrollment and authorization to work; redefines "superintendent." Amends TCA Title 50, Chapter 5, Part 1. by *Stulce.

***House Bill No. 2483** -- Lands, Public - Authorizes acquisition, construction and maintenance of public art to be financed with general obligation bonds. Amends TCA Title 9, Chapter 21. by *Garrett.

House Bill No. 2484 -- Taxes, Inheritance Gift - Increases present \$600,000 one-time inheritance tax exemption incrementally from \$625,000 to \$1,000,000 in 2006. Amends TCA Title 67, Chapter 8, Part 3. by *Kent.

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House Bill No. 2485 -- Mental Illness - Permits requirement of department of mental health and mental retardation for mental health or mental retardation facilities to apply to persons not party to settlement or remedial order only after such requirement has become effective pursuant to rule. Amends TCA Title 33. by *Walley.

***House Bill No. 2486** -- Game and Fish Laws - Creates permanent \$10.00 sport combination hunting and fishing license for those permanently restricted to wheel chair. Amends TCA Section 70-2-104(a)(3). by *Odom.

House Bill No. 2487 -- Education - Abolishes principal-administrator academy. Amends TCA Title 49, Chapter 5, Part 57. by *Davis R, *Huskey, *Roach, *Whitson, *Sargent.

House Bill No. 2488 -- Taxes, Sales - Exempts from sales tax tangible personal property and taxable services sold to public or private schools or school support groups, where such property or services are intended for resale by school or support group. Amends TCA Title 67, Chapter 6. by *Davis R, *Huskey, *Roach, *Whitson, *Ford S, *Sargent.

House Bill No. 2489 -- Local Education Agency - Authorizes LEAs to utilize certain BEP funds for any cafeteria plan benefit eligible under 26 USC 125 in addition to health insurance premiums. Amends TCA Section 8-27-303. by *Davis R, *Huskey, *Roach, *Whitson, *Sargent.

***House Bill No. 2490** -- DUI/DWI Offenses - Provides administrative procedure for immediate seizure and revocation by department of safety of driver license of person refusing to submit to test for purpose of determining alcohol or drug content of blood or breath. Amends TCA Title 55, Chapter 10. by *Buck.

***House Bill No. 2491** -- Pharmacy - Requires pharmacy board to track duplication of narcotics prescriptions to recipients; authorizes TennCare bureau to withhold percent of capitation of MCOs until violations corrected. Amends TCA Titles 39, 40, 41, 49, 56, 63, 68 and 71. by *Fowlkes.

House Bill No. 2492 -- Driver Licenses - Imposes certain driving restrictions on persons under age of 18. Amends TCA Title 55, Chapter 50. by *Fowlkes.

House Bill No. 2493 -- Annexation - Restricts certain annexations across county lines. Amends TCA Section 6-51-102. by *Walley, *Jones U (Shelby).

***House Bill No. 2494** -- School Transportation - Limits waiver from school bus seating requirements to first 30 days of school year; requires LEAs to have seats for all students after that time. Amends TCA Title 49, Chapter 6, Part 21. by *Boner.

House Bill No. 2495 -- Bail, Bail Bonds - Provides that sheriff or other officer not required to immediately release defendant on bail if defendant is under influence of alcohol or drugs and is a danger to himself or others unless released to another adult or until defendant no longer a danger. Amends TCA Title 40, Chapter 11, Part 1. by *Patton, *Ford S, *Tidwell, *Beavers, *Bird, *Eckles, *McDonald, *Bone.

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House Bill No. 2496 -- Education, Higher - Increases number of minority teaching fellow positions from 106 to 116; increases maximum per year number from 29 to 35. Amends TCA Title 49, Chapter 4, Part 7. by *DeBerry L, *DeBerry L, *Langster, *Armstrong, *Miller L.

***House Bill No. 2497** -- Child Abuse - Requires department to notify sheriff or law enforcement official to begin investigation of child abuse, child brutality or neglect or child sexual abuse, if department or child protective team fails to begin investigation within seven days of report. Amends TCA Title 37, Chapter 1 and Title 39, Chapter 15, Part 4. by *DeBerry L, *DeBerry L, *Armstrong, *Bowers, *Miller L.

***House Bill No. 2498** -- Health - Establishes grant program for targeting physicians to disadvantaged and underserved areas based at Meharry Medical College. Amends TCA Title 68. by *DeBerry L, *Armstrong, *Bowers, *Miller L.

***House Bill No. 2499** -- General Assembly, Directed Studies - Directs board of examiners in psychology to study special issues related to reciprocity in licensing psychologists from states bordering Tennessee. Amends TCA Title 63, Chapter 11. by *DeBerry L, *Armstrong, *Bowers.

***House Bill No. 2500** -- Taxes, Privilege - Transfers revenues from rental car tax from state general fund and department of safety to the county convention and tourism bureau of the county of collection. Amends TCA Title 67, Chapter 4, Part 19. by *DeBerry L, *Armstrong, *Bowers, *Miller L.

House Bill No. 2501 -- Business and Commerce - Requires retail business to reimburse customer for additional expenses incurred in returning item or product to have anti-theft security tag removed which was not removed at time of purchase; it is an unfair business practice if retailer fails to reimburse for such costs. Amends TCA Title 47, Chapter 50, Part 1. by *DeBerry L, *Armstrong, *Miller L, *Bowers.

***House Bill No. 2502** -- Medical Occupations - Establishes board to license midwives. Amends TCA Title 4. by *DeBerry L, *Armstrong, *Bowers.

***House Bill No. 2503** -- Local Education Agency - Authorizes LEAs to utilize certain BEP funds for any cafeteria plan benefit eligible under 26 USC Section 125, in addition to health insurance premiums. Amends TCA Title 8, Chapter 27, Part 3. by *Whitson, *Ford S.

***House Bill No. 2504** -- Correction, Dept. of - Creates Tennessee Correction Academy in department of correction. Amends TCA Title 4, Chapter 29. by *Lewis.

House Bill No. 2505 -- Education - Provides qualified civil immunity for mentors and tutors in family resource center. Amends TCA Section 49-2-115. by *Phelan.

***House Bill No. 2506** -- County Boundaries - Adjusts county line between Obion and Gibson counties to place entire corporate limits of Kenton in Gibson County. by *Phelan.

House Bill No. 2507 -- Taxes, Alcoholic Beverages - Increases alcoholic beverage tax on wholesalers from 15 to 20 cents a case; proceeds for ABC agents and staff. Amends TCA Section 57-6-201(a). by *Rhinehart.

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***House Bill No. 2508** -- Consumer Protection - Prohibits automobile insurance carriers from requiring use of after market collision parts when repairing current year models or models of prior two years. Amends TCA Title 47, Chapter 18 and Title 56, Chapter 7. by *Fowlkes.

***House Bill No. 2509** -- Regional Authorities - Revises allocation of Giles County's portion of remaining funds distributed to counties following abolition of Tennessee Elk River Authority. Amends Chapter 816 of the Public Acts of 1996. by *Fowlkes.

***House Bill No. 2510** -- TennCare - Adds assistant commissioner of bureau of TennCare as ex-officio nonvoting member of TennCare pharmaceutical care advisory board. Amends TCA Section 71-1-404 and Section 71-1-403. by *Chumney, *DeBerry L.

***House Bill No. 2511** -- Tennessee Wildlife Resources Agency - Authorizes members of wildlife resources commission appointed by speakers to serve three rather than two consecutive terms. Amends TCA Title 70, Chapter 1, Part 2. by *Rhinehart.

***House Bill No. 2512** -- Pensions and Retirement Benefits - Extends Group 3 eligibility for service retirement to those completing 30 years creditable service. Amends TCA Section 8-36-201(c). by *Rhinehart.

***House Bill No. 2513** -- Emergency Communications Districts - Add non-emergency care to care provided by EMTs. Amends TCA Title 68, Chapter 140, Part 5. by *Jackson, *Jones U (Shelby), *Armstrong.

***House Bill No. 2514** -- Adoption - Changes violation of contact veto provisions of adoption law from Class A to Class B misdemeanor. Amends TCA Section 36-1-132. by *Chumney.

***House Bill No. 2515** -- Marriage - Restricts ministers who may solemnize rite of matrimony to those who are ordained. Amends TCA Title 36, Chapter 3. by *Chumney.

***House Bill No. 2516** -- Landlord and Tenant - Expands authority of district attorney to evict tenant from premises if premises or area immediately surrounding premises is being used in whole or in part to illegally sell or distribute controlled substances. Amends TCA Section 66-7-107. by *Chumney.

***House Bill No. 2517** -- Juvenile Offenders - Makes whether or not delinquent juvenile was criminal gang member and committed criminal gang offense factor for judge to consider in determining if juvenile should be transferred to criminal court for disposition as adult. Amends TCA Section 37-1-134. by *Chumney.

***House Bill No. 2518** -- Domestic Violence - Provides that protection order may include directive that minor children, who reside with parties, must be assessed to determine whether in need of treatment for physical or emotional injuries resulting from witnessing acts of domestic abuse. Amends TCA Section 36-3-606. by *Chumney.

***House Bill No. 2519** -- Custody and Support - Makes willingness to encourage child to have frequent and continuing contact with other parent most heavily weighed factor in child custody determination. Amends TCA Title 36, Chapter 6, Part 1. by *DeBerry J.

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***House Bill No. 2520** -- Custody and Support - Makes willingness of parent to encourage child to have frequent and continuing contact with other parent most heavily weighted factor in determining custody. Amends TCA Title 36, Chapter 6, Part 1. by *DeBerry J.

***House Bill No. 2521** -- Motor Vehicles, Titling and Registration - Prohibits transfer of vehicle identification number from vehicles reported as inoperative. Amends TCA Title 55, Chapter 5. by *DeBerry J.

***House Bill No. 2522** -- Food and Food Products - Prohibits retail food establishments from raising food prices solely to correspond with delivery of government assistance funds. Amends TCA Title 53, Chapter 8, Part 2. by *DeBerry J.

***House Bill No. 2523** -- Telecommunications - Exempts municipal telecommunication services from regulatory authority review; redefines "public works" to include certain telecommunication services. by *Kisber, *Rhinehart.

***House Bill No. 2524** -- Hotels and Restaurants - Exempts certain bed and breakfast establishments from certain permit and licensing requirements. Amends TCA Title 68, Chapter 14, Part 5. by *Garrett.

***House Bill No. 2525** -- Driver Licenses - Provides procedure for immediate seizure at scene of DUI and administrative revocation of person's driver license by department of safety in counties of 100,000 or more and by court in counties below 100,000. Amends TCA Title 55, Chapter 10. by *Buck.

***House Bill No. 2526** -- Bankruptcy - Revises property exemptions under bankruptcy law. Amends TCA Title 26, Chapter 2. by *Buck.

House Bill No. 2527 -- Medical Occupations - Establishes respiratory care board. Amends TCA Title 63 and Title 68. by *Jackson.

***House Bill No. 2528** -- Custody and Support - Prohibits court from ordering visitation rights to parent of child who has been convicted of first degree murder of child's other parent unless child assents to such order. Amends TCA Title 36, Chapter 6, Part 3. by *McMillan.

House Bill No. 2529 -- Managed Care Organizations - Prohibits certain contractual limitations of liability concerning MCOs; requires consumers to be provided certain information; requires independent panel in appeals process. Amends TCA Title 56; Title 63; Title 68 and Title 71. by *Jackson.

House Bill No. 2530 -- Civil Procedure - Makes MCOs liable for medical decisions made by MCOs that harm consumers; creates cause of action for medical malpractice against them. Amends TCA Title 29, Chapters 20 and 26; Title 56; and Title 56, Chapter 32. by *Jackson.

House Bill No. 2531 -- Mental Illness - Enacts "Community Mental Health Center Cooperation Act of 1998.". by *McMillan.

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***House Bill No. 2532** -- Election Laws - Establishes review process to secretary of state's administrative law judge rather than chancery court for county election commission. Amends TCA Section 2-12-109 and Section 2-12-209. by *Curtiss.

***House Bill No. 2533** -- Loan Companies - Authorizes sponsoring broker to apply to add broker's agents to registration as industrial loan and thrift company, subject to certain requirements. Amends TCA Title 45, Chapter 5. by *Curtiss.

***House Bill No. 2534** -- Utilities, Utility Districts - Extends water service to landowners whose residence is located within 500 feet of water service area of utility district or municipality, provided connection to service such property lies within boundaries of service area. Amends TCA Section 7-51-401. by *White.

***House Bill No. 2535** -- Zoning - Clarifies that owners of residentially-zoned land located in municipality in Lawrence County, who petition municipal zoning commission to rezone property, need not seek approval of adjacent residential landowners if property is contiguous to or near existing commercial property. Amends TCA Title 13, Chapter 7, Part 2. by *White.

***House Bill No. 2536** -- School Transportation - Requires safety belts on all school buses acquired after 7/1/98. Amends TCA Title 49, Chapter 6, Part 21. by *White.

***House Bill No. 2537** -- Lobbying, Lobbyists - Exempts unpaid lobbyists from paying occupational privilege tax. Amends TCA Sections 3-6-104 and 3-6-113. by *Kernell.

***House Bill No. 2538** -- General Assembly - Requires annual salary of general assembly members to be equal to average salary paid to state employees. Amends TCA Title 3, Chapter 1. by *Kernell.

House Bill No. 2539 -- Sunset Laws - Terminates primary care advisory board; transfers functions relative to drug formularies to board of nursing. Amends TCA Title 63 and Title 68. by *Kernell.

House Bill No. 2540 -- Administrative Procedure - Continues certain permanent agency rules pursuant to UAPA beyond expiration date of 6/30/98. by *Kernell.

House Bill No. 2541 -- Sunset Laws - Department of mental health and mental retardation facilities, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell.

***House Bill No. 2542** -- Custody and Support - Awards temporary custody of child to non-custodial parent upon incarceration of custodial parent if non-custodial parent had previously been granted visitation rights. Amends TCA Title 36, Chapter 6. by *Kernell.

***House Bill No. 2543** -- Education - Requires commissioner's annual report of student dropout rates, organized by schools and local school systems, to include cohort rates and event rates. Amends TCA Section 49-1-211 and Section 49-1-216. by *Jones U (Shelby), *Pruitt, *Armstrong.

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***House Bill No. 2544** -- State Government - Creates, effective 1/1/99, division of managed care within department of health. Amends TCA Title 4, Chapter 3, Part 18. by *Pruitt, *Armstrong, *Brooks, *Jones U (Shelby).

***House Bill No. 2545** -- Basic Education Program (BEP) - Requires availability of alternative schools for certain students; provides certain BEP funding for alternative schools. Amends TCA Section 49-3-359 and Section 49-6-3402. by *Cooper B, *Pruitt, *Armstrong, *Brooks.

***House Bill No. 2546** -- Game and Fish Laws - Increases distance from which hunting or shooting is legal; increases types of structures which trigger prohibition. Amends TCA Title 70, Chapter 4. by *Eckles.

***House Bill No. 2547** -- Mental Illness - Makes provisions to assure patient choice of provider for mental health services in health care plans. Amends TCA Title 56. by *Eckles.

House Bill No. 2548 -- Taxes, Real Property - Extends completion date from September 1 to December 1 for corrections to assessment of property when improvement or new building being constructed. Amends TCA Section 67-5-603. by *Eckles, *Hood.

***House Bill No. 2549** -- Motor Vehicles - Redefines "abandoned vehicle" to include unclaimed vehicle for purpose of notification to owners; removes work done on motor vehicle from coverage of artisans lien; and revises procedure for enforcement of garagekeepers lien against abandoned vehicles. Amends TCA Title 55, Chapter 16, Part 1; Title 66, Chapter 14, Part 1 and Title 66, Chapter 19, Part 1. by *Eckles.

House Bill No. 2550 -- Natural Disaster - Creates seismic safety commission; commission to study means to mitigate earthquake hazards. Amends TCA Title 4, Chapter 29 and Title 58. by *Kernell.

House Bill No. 2551 -- Railroads - Authorizes railroads to install automatic warnings or protective devices at railroad's expense if department of transportation approves. Amends TCA Title 65, Chapter 11, Part 1. by *Eckles.

House Bill No. 2552 -- Contractors - Authorizes contractor board to collect fee to defray cost of investigations. Amends TCA Section 62-6-118. by *Eckles.

***House Bill No. 2553** -- Schools, Private and Charter - Enacts "Tennessee Charter Schools Act of 1998." Amends TCA Title 49; Section 12-4-101 and 12-4-102; Title 8, Chapter 35. by *Halteman Harwell, *McDaniel, *Walley.

House Bill No. 2554 -- Taxes - Identifies investment property exempt from recordation tax on instrument evidencing indebtedness as being certificated or uncertificated security, security entitlement, securities account, commodity contract or commodity account, as added by Public Acts of 1997, Chapter 79, Section 5. Amends TCA Section 67-4-409(b). by *Kisber, *Rhinehart, *Phelan, *Fitzhugh.

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House Bill No. 2555 -- Uniform Commercial Code - Repeals provisions relative to Bulk Sales; makes conforming amendments; preserves rights and obligations arising under repealed provisions. Amends TCA Section 47-1-105(2); Section 47-2-403 and Section 67-1-1801. Repeals TCA Title 47, Chapter 6 and Section 47-9-111; and to amend TCA Section 47-1-105(2); Section 47-2-403 and Section 67-1-1801. by *Hood, *Rhinehart, *Phelan, *Fitzhugh.

House Bill No. 2556 -- Uniform Commercial Code - Rewrites UCC law on letters of credit. Amends TCA Title 47, Chapter 5; Section 47-1-105(2); Section 47-1-206(2); Section 47-4-104(6); Section 47-5-114; and Title 47, Chapter 9. by *Sands, *Fitzhugh.

***House Bill No. 2557** -- Criminal Offenses - Requires department of safety to devise blood alcohol concentration chart; requires all manufacturers of alcoholic beverages to put chart on each beverage container; and creates Class C misdemeanor offense of distributing alcoholic beverage without chart on container. Amends TCA Title 57, Chapter 1. by *Jackson.

***House Bill No. 2558** -- Criminal Offenses - Requires department of safety to devise blood alcohol concentration chart; requires all establishments selling alcoholic beverages to post chart at entrances and exits; and creates Class C misdemeanor offense for failure to post chart as required. Amends TCA Title 57, Chapter 1. by *Jackson.

***House Bill No. 2559** -- Sexual Offenses - Increases penalty for offense of rape of child from Class A felony to life imprisonment. Amends TCA Title 39, Chapter 13, Part 5 and Title 40, Chapter 35, Part 5. by *Jackson.

***House Bill No. 2560** -- Sexual Offenses - Creates Class E felony offense of adult soliciting minor to engage in conduct that would constitute offense of rape of child, aggravated rape, rape, aggravated sexual battery, sexual battery, statutory rape or especially aggravated sexual exploitation of minor. Amends TCA Title 39, Chapter 13, Part 5. by *Jackson.

***House Bill No. 2561** -- Tennessee Bureau of Investigation - Establishes office for Internet child protection within TBI to investigate sexual offenses committed against Tennessee children by use of Internet. Amends TCA Title 38, Chapter 6. by *Jackson.

***House Bill No. 2562** -- Parks, Natural Areas Preservation - Authorizes commissioner of environment and conservation to appoint ten member advisory board to review involvement of nonprofit organizations with state park properties and facilities; changes number of copies of audit to be furnished to citizen support organization board members from one to three. Amends TCA Title 11, Chapter 3. by *Jackson.

***House Bill No. 2563** -- Sexual Offenses - Establishes procedure for commitment to DMHMR of sexually violent predators. Amends TCA Title 33, Chapter 6. by *Jackson.

***House Bill No. 2564** -- Hospitals and Health Care Facilities - Requires that hospital service corporations enter into contracts for rendering hospital services only with hospitals licensed under TCA Title 68. Amends TCA Title 56 and Title 68. by *Jackson.

***House Bill No. 2565** -- Education - Redesignates "model teen learning center" as "model young adult learning center." Amends TCA Title 49. by *Jackson.

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***House Bill No. 2566** -- Firearms and Ammunition - Creates offense of person with handgun carry permit possessing weapon at meeting or on premises where such possession prohibited and punishes it as Class A or C misdemeanor depending on where illegal possession occurred. Amends TCA Title 39, Chapter 17, Part 13. by *Jackson.

***House Bill No. 2567** -- Tennessee Wildlife Resources Agency - Requires financial reports concerning TWRA to be provided on request of members of general assembly rather than at discretion of governor. Amends TCA Title 70. by *Jackson.

***House Bill No. 2568** -- Pharmacy - Increases, from ten to 14 days, period in which appointee has to file oath with secretary of state. Amends TCA Title 63. by *Jackson.

***House Bill No. 2569** -- Physicians and Surgeons - Changes rounding of proportional fee in alternative license renewals from "to nearest quarter of a dollar" to "to the nearest dollar." Amends TCA Title 63. by *Jackson.

***House Bill No. 2570** -- Criminal Offenses - Clarifies that in determining level of punishment for offense of vandalism it is amount of damage to property vandalized that is valued rather than value of property itself. Amends TCA Title 39 and Title 40. by *Jackson.

***House Bill No. 2571** -- Environmental Preservation - Requires commissioner of environment and conservation to maintain list of general permits and persons operating thereunder, list to be available to public and posted on Internet. Amends TCA Title 68 and Title 69. by *Jackson.

***House Bill No. 2572** -- Alcoholic Offenses - Prohibits passenger in motor vehicle from consuming alcoholic beverage or possessing open container of alcoholic beverage while riding in such vehicle. Amends TCA Section 55-10-416. by *Jackson.

***House Bill No. 2573** -- Smoking - Bans smoking in all state offices, including Capitol, and legislative chambers, the War Memorial Building, Legislative Plaza, including meeting rooms, special schools, colleges, universities, prisons and mental health institutions. Amends TCA Section 4-4-121. by *Jackson.

***House Bill No. 2574** -- TennCare - Changes annual report deadline from 60 to 45 days after close of fiscal year. Amends TCA Title 71, Chapter 5. by *Jackson.

House Bill No. 2575 -- Medicine, Practice of - Enacts "Intractable Pain Treatment Act." Amends TCA Title 39 and Title 53, Chapter 11. by *Jackson.

House Bill No. 2576 -- Medicine, Practice of - Enacts "Intractable Pain Treatment Act." Amends TCA Title 39 and Title 53, Chapter 11. by *Jackson.

***House Bill No. 2577** -- Pensions and Retirement Benefits - Specifies that service retirement allowance for Group 1 and Class C members of superseded TCRS not to exceed 90 percent of member's average final compensation. Amends TCA Section 8-36-208. by *Rhinehart.

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***House Bill No. 2578** -- County Officers - Increases salary reduction amounts for sheriffs failing to meet statutory requirements for office. Amends TCA Section 8-8-102. by *Ferguson.

House Bill No. 2579 -- State Employees - Establishes 50 percent year round discount for full-time state employees on camping fees charged at state parks. Amends TCA Title 11, Chapter 3. by *Boyer.

***House Bill No. 2580** -- Attorneys at Law - Provides that attorneys who contract with persons for sole purpose of collection of bad debts or who hold themselves out to be collection service must comply with Tennessee Collection Service Act. Amends TCA Title 62, Chapter 20. by *Head.

***House Bill No. 2581** -- Taxes, Gasoline, Petroleum Products - Requires department to make refunds within 45 days on valid claims; requires department to promulgate rules to establish criteria by which bond amounts will be determined. Amends TCA Title 67, Chapter 3. by *Head.

***House Bill No. 2582** -- Collection Agencies - Places \$9.00 per check limit on amount collection service may recover from debtor for charges imposed by bank to process insufficient fund check. Amends TCA Title 62, Chapter 20. by *Head.

House Bill No. 2583 -- Physicians and Surgeons - Enacts "Health Care Consumer Right to Know Act of 1998.". by *Jones, S., *Jackson, *Brooks, *Langster, *Eckles, *Pruitt, *Bowers.

***House Bill No. 2584** -- Medical Occupations - Prohibits discrimination against health care providers by health care plans on certain grounds. Amends TCA Title 56. by *McDonald.

***House Bill No. 2585** -- Medical Occupations - Revises health access incentive account to establish three phase program for recruiting primary care physicians and nurse practitioners, developing network plans and recruiting specialists for underserved areas. Amends TCA Title 66, Chapter 29, Part 1. by *McDonald.

***House Bill No. 2586** -- Insurance, Health, Accident - Requires providers of health care to maintain adequate networks; establishes requirements which must be met. Amends TCA Title 56. by *McDonald.

***House Bill No. 2587** -- Insurance, Health, Accident - Requires health insurance and health care plans, excluding TennCare, to develop and maintain written procedures to authorize standing referrals of patients or enrollees with chronic and disabling conditions which require ongoing specialty care. Amends TCA Title 56. by *McDonald.

***House Bill No. 2588** -- Managed Care Organizations - Requires health insurers and MCOs which only provide health care through an HMO, to offer either a point of service option through such HMO, or offer a PPO option. Amends TCA Title 56. by *McDonald.

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***House Bill No. 2589** -- Insurance, Health, Accident - Requires insurers to continue care for pregnant women in third trimester of pregnancy and for certain illnesses; requires coverage of drug if formulary changed until enrollee completes appeals process or acceptable substitute is found. Amends TCA Title 56. by *McDonald.

***House Bill No. 2590** -- Insurance, Health, Accident - Requires insurers to designate certain health care providers as primary care physicians and insures direct access to certain providers if plan or contract covers certain annual visits. Amends TCA Title 56. by *McDonald.

***House Bill No. 2591** -- Highway Signs - "Bledsoe Creek State Park," I-40, S.R. 109 Exit and U.S. 231 Exit; I-65, S.R. 109 Exit, S.R. 52 Exit and S.R. 25 Exit. by *McDonald.

***House Bill No. 2592** -- Surplus Property - Authorizes state to sell surplus property to constables. Amends TCA Title 12, Chapter 2, Part 4. by *Ferguson.

***House Bill No. 2593** -- Highway Signs - "Fort Southwest Point," I-40, Exit 352. by *Ferguson.

***House Bill No. 2594** -- Taxes, Real Property - Raises annual income level at which elderly low income homeowners may claim property tax exemption from \$10,550 to \$11,550 per year. Amends TCA Section 67-5-702. by *Ferguson, *Jones, S., *Winningham.

House Bill No. 2595 -- Pensions and Retirement Benefits - Provides that state will pay 50 percent of premium for medigap insurance for retired state employees and teachers. Amends TCA Title 8, Chapter 27, Parts 2, 3, and 7. by *Whitson.

House Bill No. 2596 -- Evidence - Establishes presumption that medical bills served on defendant in civil action 90 days before trial are necessary. Amends TCA Section 24-5-113. by *McMillan.

***House Bill No. 2597** -- State Prisoners - Adds sale of illegal controlled substance to offenses for which inmate may be deprived of sentence reduction credits previously awarded to inmate. Amends TCA Title 4, Chapter 3; Title 40 and Title 41. by *Jackson.

***House Bill No. 2598** -- Pensions and Retirement Benefits - Rewrites mandatory retirement law; creates supplemental bridge benefit for public safety officers. Amends TCA Title 8, Chapter 36. by *Rhinehart, *Head.

***House Bill No. 2599** -- Motor Vehicles, Titling and Registration - Revises procedure for expenditure of revenues produced from sale of Friends of Great Smoky Mountains special license plates. Amends TCA Section 55-4-271. by *Clabough, *Huskey, *Burchett.

House Bill No. 2600 -- Securities - Exempts from registration requirements certain small business offerings of securities with aggregate offering price of \$1 million or less. Amends TCA Title 48, Chapter 2. by *Burchett.

***House Bill No. 2601** -- Consumer Protection - Clarifies switching of consumer's long distance company (slamming) by telecommunications service providers without clear disclosure or knowledge of consumer; violates Consumer Protection Act; provides for full restitution. Amends TCA Title 47, Chapter 18, Part 1. by *Burchett.

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House Bill No. 2602 -- Employees, Employers - Requires employees who leave jobs in good standing to be paid for unused vacation and compensatory time. Amends TCA Title 50, Chapter 2. by *Burchett.

House Bill No. 2603 -- Criminal Procedure - Authorizes plea of "guilty by reason of mental illness" in criminal cases. Amends TCA Title 40, Chapter 18 and Title 40, Chapter 35. by *Burchett.

House Bill No. 2604 -- Food and Food Products - Requires certain meats to be labeled with expiration date. Amends TCA Title 53, Chapter 7. by *Burchett.

***House Bill No. 2605** -- Election Laws - Authorizes by 2/3s vote of local governing body nonpartisan primary election board of education members. Amends TCA Title 49, Chapter 2, Part 2. by *Burchett.

House Bill No. 2606 -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for United Daughters of the Confederacy. by *McDaniel.

House Bill No. 2607 -- Taxes, Income - Exempts education and Roth IRAs from Hall Income Tax. Amends TCA Title 67, Chapter 2. by *McDaniel.

House Bill No. 2608 -- Medicaid and Medicare - Requires commissioner of health to report before 1/15/99 [and every two years thereafter] to general assembly with specific findings regarding need for and funding of nursing home services and home and community based care services. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5, Part 1. by *McDaniel.

House Bill No. 2609 -- Highways, Roads and Bridges - Equalizes speed limits for cars and trucks on state highways. Amends TCA Section 55-8-152. by *McDaniel.

House Bill No. 2610 -- Insurance, Fire and Casualty - Requires general contractor be made loss payee when insured property losses are more than \$1,000 and payment is made to owner for loss of uncompleted construction. Amends TCA Section 56-7-111. by *McDaniel.

House Bill No. 2611 -- Historical Commission - Adds War of 1812 and Mexican War to wars that are within scope and jurisdiction of Tennessee wars commission Amends TCA Title 4, Chapter 11, Part 5. by *McDaniel.

House Bill No. 2612 -- Aged Persons - Includes Henderson County in pilot program to reimburse licensed residential homes for aged. Amends TCA Section 12-4-320. by *McDaniel.

House Bill No. 2613 -- Taxes, Agricultural and Open Spaces - Revises requirements for liability for rollback taxes if a sale results in property being disqualified as agricultural, forest or open space land. Amends TCA Section 67-5-1008. by *Rhinehart.

House Bill No. 2614 -- Highway Signs - "Historic Mansker Station Frontier Life Center," I-65, Exit 97, Sumner County. by *Davidson.

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House Bill No. 2615 -- Teachers - Revises requirements of tests to be completed by persons wishing to teach. Amends TCA Section 49-5-5605. by *Davidson, *Windle, *Ferguson, *Winningham.

House Bill No. 2616 -- Education, Higher - Revises provisions on lease of land to fraternities and sororities. Amends TCA Section 49-1-303. by *Davidson, *Winningham.

House Bill No. 2617 -- Pensions and Retirement Benefits - Requests council on pensions and insurance to study feasibility of extending group insurance benefits to uninsured retired teachers. by *Davidson, *Winningham.

House Bill No. 2618 -- Schools, Private and Charter - Updates references to accrediting agencies for private business schools. Amends TCA Section 49-4-301. by *Davidson.

House Bill No. 2619 -- Tennessee Higher Education Commission - Revises terminology describing regulated post-secondary educational institutions. Amends TCA Title 49, Chapter 7, Part 20. by *Davidson.

House Bill No. 2620 -- Teachers - Allows career level II teachers who have completed requirements for career level II as of 6/13/97, to move into career level III upon achieving required years of service. Amends TCA Title 49, Chapter 5, Part 50. by *Davidson, *Winningham, *Curtiss, *Windle.

House Bill No. 2621 -- Taxes, Inheritance Gift - Increases inheritance tax exemption by \$25,000 a year from \$600,000 in 1998 to \$1,000,000 in 2014. Amends TCA Title 67, Chapter 8, Part 3. by *Davidson, *Head.

House Bill No. 2622 -- Education - Redesignates "break-the-mold" schools as "charter" schools. Amends TCA Title 49. by *Davidson, *Winningham.

***House Bill No. 2623** -- Highway Signs - City of Ripley, I-40, Exit 56, Haywood County. by *Fitzhugh.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2284 -- General Assembly, Directed Studies -- House Conservation & Environment Committee

House Bill No. 2285 -- Consumer Protection -- House Consumer & Employees Affairs Committee

***House Bill No. 2286** -- County Officers -- House State & Local Government Committee

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***House Bill No. 2287** -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 2288 -- Hamilton County -- Local Bill Held on House Desk

***House Bill No. 2289** -- Solid Waste Disposal -- House State & Local Government Committee

***House Bill No. 2290** -- Economic and Community Development -- House State & Local Government Committee

House Bill No. 2291 -- Probation -- House Judiciary Committee

***House Bill No. 2292** -- State Government -- House State & Local Government Committee

House Bill No. 2293 -- Economic and Community Development -- House State & Local Government Committee

***House Bill No. 2294** -- Adoption -- House Children and Family Affairs Committee

House Bill No. 2295 -- Banks and Financial Institutions -- House Commerce Committee

House Bill No. 2296 -- Garnishments and Executions -- Caption Bill Held on House Desk

House Bill No. 2297 -- Railroads -- House Transportation Committee

***House Bill No. 2298** -- Agriculture -- House Government Operations Committee

House Bill No. 2299 -- Child Abuse -- House Children and Family Affairs Committee

House Bill No. 2300 -- Teachers -- House Education Committee

***House Bill No. 2301** -- Health -- House Health & Human Resources Committee

House Bill No. 2302 -- Environmental Preservation -- House Conservation & Environment Committee

***House Bill No. 2304** -- Water -- House Conservation & Environment Committee

***House Bill No. 2305** -- County Officers -- House State & Local Government Committee

***House Bill No. 2306** -- Codes -- House State & Local Government Committee

***House Bill No. 2307** -- Public Contracts -- House State & Local Government Committee

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***House Bill No. 2308** -- Public Records -- House Judiciary Committee

House Bill No. 2309 -- Fees -- House State & Local Government Committee

***House Bill No. 2310** -- Sentencing -- House Judiciary Committee

***House Bill No. 2311** -- Jails, Local Loc -- House State & Local Government Committee

***House Bill No. 2312** -- Correctional Programs -- House Judiciary Committee

House Bill No. 2313 -- Local Education Agency -- House Education Committee

***House Bill No. 2314** -- Memorials, Government Officials -- House Government Operations Committee

***House Bill No. 2315** -- Domestic Violence -- House Judiciary Committee

***House Bill No. 2316** -- Domestic Violence -- House Judiciary Committee

House Bill No. 2317 -- Pharmacy -- Caption Bill Held on House Desk

House Bill No. 2318 -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 2319** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 2320** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 2321** -- Capital Punishment -- House Government Operations Committee

***House Bill No. 2322** -- Capital Punishment -- House Government Operations Committee

***House Bill No. 2323** -- School Transportation -- House Education Committee

House Bill No. 2324 -- Education, Dept. of -- House Education Committee

***House Bill No. 2325** -- Safety -- House State & Local Government Committee

***House Bill No. 2326** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

***House Bill No. 2327** -- Victims Rights -- House Judiciary Committee

House Bill No. 2328 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

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- *House Bill No. 2329** -- Local Education Agency -- House Education Committee
- House Bill No. 2330** -- Criminal Offenses -- House Judiciary Committee
- *House Bill No. 2331** -- Courts, General Sessions -- House Judiciary Committee
- *House Bill No. 2332** -- Architects and Engineers -- House Commerce Committee
- *House Bill No. 2333** -- Taxes, Income -- House Finance, Ways & Means Committee
- House Bill No. 2334** -- Claims Commission, Tennessee -- House Judiciary Committee
- House Bill No. 2335** -- Board of Regents -- House Education Committee
- *House Bill No. 2336** -- Dentists -- House Health & Human Resources Committee
- *House Bill No. 2337** -- Dentists -- House Health & Human Resources Committee
- House Bill No. 2338** -- Municipal Government -- House State & Local Government Committee
- *House Bill No. 2339** -- Tennessee Wildlife Resources Agency -- House Conservation & Environment Committee
- House Bill No. 2340** -- Public Records -- House Judiciary Committee
- *House Bill No. 2341** -- Driver Licenses -- House Transportation Committee
- *House Bill No. 2342** -- Traffic Safety -- House Transportation Committee
- House Bill No. 2343** -- Tort Liability -- House Judiciary Committee
- *House Bill No. 2344** -- Alcoholic Offenses -- House Judiciary Committee
- *House Bill No. 2345** -- DUI/DWI Offenses -- House Judiciary Committee
- *House Bill No. 2346** -- Education, Higher -- Caption Bill Held on House Desk
- *House Bill No. 2347** -- Health, Dept. of -- House Government Operations Committee
- *House Bill No. 2348** -- Criminal Offenses -- Caption Bill Held on House Desk
- *House Bill No. 2349** -- Sunset Laws -- House Government Operations Committee
- *House Bill No. 2350** -- Sunset Laws -- House Government Operations Committee
- *House Bill No. 2351** -- Interstate Compacts -- House Government Operations Committee

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***House Bill No. 2352** -- Insurance Companies, Agents, Brokers -- Caption Bill Held on House Desk

***House Bill No. 2353** -- Motor Vehicles -- Caption Bill Held on House Desk

***House Bill No. 2354** -- Sunset Laws -- Caption Bill Held on House Desk

***House Bill No. 2355** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk

House Bill No. 2356 -- Election Laws -- House State & Local Government Committee

House Bill No. 2357 -- Election Laws -- House State & Local Government Committee

House Bill No. 2358 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 2359 -- Professions and Occupations -- House Consumer & Employees Affairs Committee

House Bill No. 2360 -- Courts -- House Judiciary Committee

***House Bill No. 2361** -- Administrative Procedure -- House Government Operations Committee

***House Bill No. 2362** -- Telecommunications -- House State & Local Government Comm

House Bill No. 2363 -- Taxes, Privilege -- House Finance, Ways & Means Committee

House Bill No. 2364 -- Children -- House Transportation Committee

House Bill No. 2365 -- Telecommunications -- Caption Bill Held on House Desk

House Bill No. 2366 -- Education, Higher -- Caption Bill Held on House Desk

House Bill No. 2367 -- Taxes, Litigation -- House Judiciary Committee

House Bill No. 2368 -- Taxes, Sales -- Caption Bill Held on House Desk

***House Bill No. 2369** -- Telecommunications -- House State & Local Government Comm

House Bill No. 2370 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2371 -- Workers' Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 2372** -- Governor -- House State & Local Government Committee

House Bill No. 2373 -- Courts -- House Judiciary Committee

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***House Bill No. 2374** -- Insurance Companies, Agents, Brokers -- House Commerce Committee

***House Bill No. 2375** -- Zoning -- House Health & Human Resources Committee

***House Bill No. 2376** -- Salaries and Benefits -- House State & Local Government Committee

House Bill No. 2377 -- Weights and Measures -- House Agriculture Committee

House Bill No. 2378 -- Children -- House Government Operations Committee

House Bill No. 2379 -- Taxes, Income -- House Finance, Ways & Means Committee

House Bill No. 2380 -- State Prisoners -- House Judiciary Committee

House Bill No. 2381 -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

House Bill No. 2382 -- Tort Liability -- House Judiciary Committee

House Bill No. 2383 -- Education, Higher -- House Education Committee

House Bill No. 2384 -- Insurance, Health, Accident -- Caption Bill Held on House Desk

***House Bill No. 2385** -- Contractors -- House Commerce Committee

House Bill No. 2386 -- Tort Liability -- House Judiciary Comm

House Bill No. 2387 -- Mental Illness -- House Judiciary Committee

House Bill No. 2388 -- Television, Cable -- Caption Bill Held on House Desk

***House Bill No. 2389** -- Mental Illness -- Caption Bill Held on House Desk

***House Bill No. 2390** -- Surveyors -- House Commerce Committee

***House Bill No. 2391** -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 2392 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 2393 -- Teachers -- House Education Committee

House Bill No. 2394 -- Education, State Board of -- House Government Operations Committee

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***House Bill No. 2395** -- Alcoholic Offenses -- House State & Local Government Committee

***House Bill No. 2396** -- Judicial Districts -- House Judiciary Committee

***House Bill No. 2397** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

House Bill No. 2398 -- Eminent Domain -- House Judiciary Committee

House Bill No. 2399 -- Domestic Violence -- House Judiciary Committee

***House Bill No. 2400** -- Drugs -- Caption Bill Held on House Desk

***House Bill No. 2401** -- Criminal Offenses -- Caption Bill Held on House Desk

House Bill No. 2402 -- Firearms and Ammunition -- House Judiciary Committee

***House Bill No. 2403** -- Law Enforcement -- House Judiciary Committee

***House Bill No. 2404** -- Tennessee Bureau of Investigation -- House Judiciary Committee

House Bill No. 2405 -- Physicians and Surgeons -- Caption Bill Held on House Desk

***House Bill No. 2406** -- Civil Procedure -- House Judiciary Committee

***House Bill No. 2407** -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 2408** -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 2409** -- Administrative Procedure -- House Judiciary Committee

House Bill No. 2410 -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 2411 -- State Government -- House State & Local Government Committee

House Bill No. 2412 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 2413 -- Industrial Development -- House State & Local Government Committee

House Bill No. 2414 -- Industrial Development -- House State & Local Government Committee

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House Bill No. 2415 -- Pharmacy -- Caption Bill Held on House Desk

House Bill No. 2416 -- Aircraft and Airports -- House State & Local Government Committee

***House Bill No. 2417** -- County Officers -- House State & Local Government Committee

***House Bill No. 2418** -- TennCare -- House Commerce Committee

***House Bill No. 2419** -- TennCare -- House Commerce Committee

OUT OF ORDER

BILLS WITHDRAWN

On motion of Rep. Pleasant, **House Joint Resolution No. 459** was withdrawn from the House.

**CAPTION BILLS REFERRED
January 26, 1998**

Pursuant to **Rule No. 47**, the following Caption Bill(s), House Bills(s) No(s). 467 and 505 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 467** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

***House Bill No. 505** -- Criminal Offenses -- House Judiciary Committee

CONSENT CALENDAR

House Bill No. 2231 -- Sevier County - Subject to local approval, repeals trial justice court; authorizes second part of general sessions court; grants jurisdiction over probate and juvenile matters - Repeals Chapter 34 of the Private Acts of 1973 as amended. by *Huskey. (SB2330 by *Atchley)

House Joint Resolution No. 460 -- Memorials, Professional Achievement - Judge David Marlowe and Dwight Hawkersmith, truancy prevention. by *Fraleigh.

House Joint Resolution No. 461 -- Memorials, Professional Achievement - Marvin E. Alexander, 1997 World Champion Auctioneer. by *Maddox.

House Joint Resolution No. 462 -- Memorials, Professional Achievement - Martha C. Howell, "Employee of the Year," Methodist Medical Center. by *Caldwell.

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House Joint Resolution No. 463 -- Memorials, Public Service - Cyndy Bailes, CASA Executive Director. by *Caldwell.

On previous motion, House Joint Resolution No. 459 was removed from the Calendar and withdrawn from the House

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Ham), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Wood, **House Bill No. 1672** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Cole(Dyer), **House Bill No. 2451** was withdrawn from the House.

On motion of Rep. Scroggs, **House Bill No. 1682** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Dunn, **House Bill No. 2115** was recalled from the Agriculture Committee and withdrawn from the House.

REPORTS FILED

The Clerk announced that the joint select committee to study the delivery of Mental Health Services authorized pursuant to House Joint Resolution No. 449 of the Ninety-Ninth General Assembly and continued pursuant to Senate Joint Resolution No. 61 of the One-Hundredth General Assembly has submitted its report and that it is on file in the Clerk's Office.

The Clerk announced that the joint select committee to study intelligent transportation authorized pursuant to House Joint Resolution No. 199 has submitted a communication and that it is on file in the Clerk's office.

MESSAGE FROM THE GOVERNOR

January 26, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 427 and 437, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

SIGNED

January 26, 1998

The Speaker signed the following: Senate Joint Resolution(s) No(s). 369.

ENGROSSED BILLS

January 26, 1998

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2231, also, House Joint Resolution(s) No(s) 460, 461, 462 and 463.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

January 26, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2036 and 2049; both substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

January 26, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 424, 425, 428, 429, 430, 431, 432, 433, 434, 435, 438, 439, 441, 449 and 450; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove the House recessed until 2:00 p.m., Wednesday, January, 28, 1998.